IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI

THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 23212 of 2004

Between:

A. Ranga Raju, S/o. Late Narasimha Raju, Hindu,
Current Section, High Court of A.P. Hyderabad.

..... PETITIONER

AND

1. The Government of A.P. represented by its Secretary, (LA & J), Department, Secretariat, Hyderabad.
2. The Director of Medical Education, Govt., of A.P., Hyderabad.
3. The Registrar (Administration), High Court of A.P., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction, more particularly, one in the nature of Writ of Mandamus declaring the Proc. Lr.No. 4105/Cts.C1/2004, dated 15-6-2004 of the 1st respondent return the medicals bills of the petitioner without issuing the relaxation orders sought by the respondent No. 2 for reimbursement of the medical expenditure incurred by the petitioner as illegal, arbitrary, violation of Principles of Natural Justice and consequently direct the respondent Nos. 1 and 2 to pass the medical bill of the petitioner in terms of the G.O.Ms.No. 175, HM & FW (K1) department dated 29-5-1997.

Counsel for the Petitioner: Mr.GANDURI NAGESWARA RAO

Counsel for Respondent Nos.1 &2: GP MEDICAL & HEALTH

Counsel for Respondent No.3: Smt.M.Bhaskara Lakshmi

SC for High Court.

The Court made the following :

ORAL ORDER:

(per Honourable Sri Bilal Nazki, the Acting Chief Justice)

Heard learned counsel for the parties.

By order dated: 7.6.2005, we had directed the petitioner to present himself before the Director of NIMS. He had obtained a certificate from NIMS. As a matter of fact, the petitioner has undergone surgery, which he claims in the writ petition. He seeks reimbursement of an amount of Rs. 31,558/-, which he incurred for his treatment while he took treatment from the hospital known as “Jayabhushan Hospital”. The respondents’ case is that Jayabhushan Hospital is not a recognized hospital, and, as such, petitioner is not entitled to reimbursement unless relaxation is given by the Government in terms of G.O.Ms.No.175, dated: 29.5.1997. It appears that the matter has been referred to the Director of Medical Education and the Director of Medical Education by virtue of a communication dated: 30.12.2003 to the Deputy Registrar of the High Court stated “ The applicant has undergone treatment in a private unrecognized hospital. Hence, Govt. relaxation orders are necessary before admitting the claim.” In terms of the G.O. referred to above, unless there is relaxation by the Government, the petitioner would not be entitled to any reimbursement. Therefore, we direct the Government to consider the case for relaxation and pass appropriate orders within two weeks from the date of the receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

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BILAL NAZKI, ACJ.

22.6.2005.

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G.CHANDRAIAH, J.

VR.

To

1. The Secretary to Government of A.P., LA & J Department, Secretariat, Hyderabad.
2. The Director of Medical Education, Govt., of A.P., Hyderabad.
3. The Registrar (Administration), High Court of A.P., Hyderabad.

4. Two CCs to Government Pleader for Medical and Health, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.